IN THE HIGH COURT OF JUDICATURE AT BOMBAY

O.O.C.J.

SUMMONS FOR JUDGMENT NO. 641 OF 2004

IN

SUMMARY SUIT NO. 3224 OF 2003

M. Parikh and Co. .....**Plffs.**
vs.
Chittaranjan D. Shah and anr. .....**Defnds.**

B.S. Chandnani for the plffs.
G.C. Mohanty for the defnds.

CORAM: S.U. KAMDAR, J.

DATE : 20th September, 2005.

P.C. :.

1. Learned counsel for the defendant states that the defendant has been adjudged insolvent. In that view of the matter summons for judgment does not survive. In view thereof learned counsel seeks leave to withdraw the summons for judgement. The same is dismissed as withdrawn. Liberty to take out fresh summons for judgment after following appropriate procedure under the Insolvency act.

SD/- **********